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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff(s),

v.

YVONNE CHACON,

Defendant(s).

2:12-CR-116 JCM (RJJ)

**ORDER**

Presently before the court is George R. Carter's ex parte motion to withdraw as counsel for defendant Yvonne Chacon. (Doc. # 11).

Defendant retained Mr. Carter to represent her in this matter in March 2012. (Doc. # 11, 2:8). Defendant appeared before the court on June 11, 2012, and pleaded guilty to two counts of the information which charged defendant with mail fraud under 18 U.S.C. § 1341. (Doc. # 6). Mr. Carter represented defendant at this appearance.

The declaration accompanying the motion to withdraw as counsel asserts that defendant contacted Mr. Carter asking him to "get off of Defendant's case." (Doc. # 11, 2:11). Without more, the court cannot determine whether there has been a breakdown in communication sufficient to require substitution of new counsel. *See United States v. Nguyen*, 262 F.3d 998, 1005 (9th Cir. 2001); *see also United States v. Moore*, 159 F.3d 1154, 1159-60 (9th Cir. 1998).

A sentencing hearing is currently scheduled in this matter for September 11, 2012, at 10:00 a.m. Mr. Carter states that he has informed the prosecutor in this case, Brian D. Pugh, of this

1 situation and Mr. Pugh has agreed to stipulate to a short continuance. (Doc. # 11, 2:16-18).

2 The court finds this matter appropriate for an ex parte hearing.

3 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED, that Mr. Carter's ex parte  
4 motion to withdraw as counsel for defendant Yvonne Chacon (doc. # 11) is set for an ex parte  
5 hearing on **Tuesday, September 11, 2012, at 10:00 a.m.**

6 DATED September 7, 2012.

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9 UNITED STATES DISTRICT JUDGE